

**To:** John Barg[JFB@BCLTLAW.com]  
**Cc:** Nattis, Randy[Nattis.Randy@epa.gov]  
**From:** Mueller, Sarah  
**Sent:** Thur 7/2/2015 11:11:30 PM  
**Subject:** RE: Haystack # 1

John,

Sorry, I meant to include this caveat in my earlier email with regards to the model AOC. We have several "model" AOCs that are drafts and I chose one to send to you that I think most appropriately fits this situation. Although we would certainly need to make some adjustments, I think this pretty fairly represents the kind of agreement we are looking for. I am happy to discuss it with you further after we both return from vacation, before our meeting.

Thanks, and enjoy your trip.

Sarah

Sarah E. Mueller

Office of Regional Counsel

U.S. Environmental Protection Agency

Region IX

75 Hawthorne St., ORC-3

San Francisco, CA 94105

(415) 972-3953

mueller.sarah@epa.gov

**From:** John Barg [mailto:JFB@BCLTLAW.com]  
**Sent:** Thursday, July 02, 2015 1:58 PM  
**To:** Mueller, Sarah  
**Cc:** Nattis, Randy  
**Subject:** RE: Haystack # 1

Thanks you, Sarah. Have an enjoyable vacation and July 4th weekend. You too, Randy. We will be in touch about meeting date, esp your preference for Jul 30.

John

**From:** Mueller, Sarah [<mailto:Mueller.Sarah@epa.gov>]  
**Sent:** Thursday, July 02, 2015 1:44 PM  
**To:** John Barg  
**Cc:** Nattis, Randy  
**Subject:** RE: Haystack # 1

John,

I'm attaching the model AOC, as well as the draft list of proposed actions that would be included in the time-critical removal action.

As I mentioned, the weeks of July 27 or August 3 would work for us for an in-person meeting. During the week of July 27, we are not available on Monday, but have a strong preference for Thursday, July 30. Please let us know what works, and Randy can confirm a date on our behalf while I am out.

We appreciate BNSF's cooperation thus far and look forward to a productive meeting.

Thanks very much.

Sarah

Sarah E. Mueller

Office of Regional Counsel

U.S. Environmental Protection Agency

Region IX

75 Hawthorne St., ORC-3

San Francisco, CA 94105

(415) 972-3953

[mueller.sarah@epa.gov](mailto:mueller.sarah@epa.gov)

**From:** John Barg [<mailto:JFB@BCLTLAW.com>]

**Sent:** Thursday, July 02, 2015 1:21 PM

**To:** Mueller, Sarah

**Cc:** Nattis, Randy

**Subject:** Haystack # 1

Randy and Sarah:

Thanks for taking the time to meet with us Tuesday. Sarah, you said you planned on sending me a generic form AOC -- not one tailored to the Haystack site -- before you leave for vacation. Having this form AOC will be extremely helpful to us in evaluating EPA's request that BNSF perform the time-critical removal. Any chance you can email it to me today?

We believe a further meeting that involves BNSF's technical folks is necessary. BNSF is considering EPA's request regarding the time-critical removal, and its environmental staff is key to that consideration and decision-making. I suggest we exchange a few dates in late July (after Sarah returns from vacation) or, if necessary, early August, for a follow up meeting of our environmental/technical team with both of you. Please let me know your availability for such a meeting.

Thanks again.

John

JOHN F. BARG

Barg Coffin Lewis & Trapp, LLP  
350 California Street, 22nd Floor  
San Francisco, CA 94104-1435

Main: 415.228.5400

Fax: 415.228.5450

mailto: [jfb@bcltlaw.com](mailto:jfb@bcltlaw.com)

>The information contained in this e-mail message may be privileged, confidential and protected from disclosure. If you are not the intended recipient, any further disclosure or use, dissemination, distribution or copying of this message or any attachment is strictly prohibited. If you think that you have received this e-mail message in error, please e-mail the sender at the above address, and delete the e-mail. Thank you very much.